

Article - Health - General

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§17-701.

(a) In this section, “BSL-3 laboratory” means a laboratory designated as a biosafety level 3 (BSL-3) laboratory by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Institutes of Health, Biosafety in Microbiological and Biomedical Laboratories, as applicable, based on:

(1) Usage of biological agents that may cause serious or potentially lethal disease after inhalation, ingestion, or absorption; and

(2) Required biocontainment precautions.

(b) This section applies to each BSL-3 laboratory in Frederick County that:

(1) Does not work with federally regulated biological select agents and toxins or their products; and

(2) (i) Is a commercial or for-profit laboratory;

(ii) Is owned by or is part of a teaching hospital or an institution of postsecondary education; or

(iii) Is a privately funded biomedical research laboratory.

(c) The Department shall develop and make available a standardized form for a BSL-3 laboratory subject to this section to use to provide the information required under subsection (d) of this section.

(d) On or before October 30 each year, each BSL-3 laboratory subject to this section shall report to the Department:

(1) The address of the laboratory;

(2) The name, telephone number, and e-mail address of a contact person for the laboratory; and

(3) Any other information required by the Department to determine the location of the laboratory.

(e) On or before December 31 each year, the Department shall report to:

(1) The Maryland Department of Emergency Management and the health officer and emergency management officials of Frederick County the number and location of BSL-3 laboratories subject to this section; and

(2) The Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly the total number of BSL-3 laboratories subject to this section.

(f) (1) Except as provided in paragraph (2) of this subsection and subsection (e) of this section, any information the Department collects from BSL-3 laboratories subject to this section is confidential and not subject to inspection under the Public Information Act.

(2) Any information the Department collects from BSL-3 laboratories subject to this section shall be made available if requested by the BSL-3 laboratory's insurance carrier or in a legal proceeding.

(g) (1) Activity of a BSL-3 laboratory subject to this section that fails to report the information required under subsection (d) of this section shall be considered ultrahazardous and abnormally dangerous.

(2) A BSL-3 laboratory subject to this section that fails to report the information required under subsection (d) of this section is strictly liable for damages for any injury, death, or loss to person or property that is caused by the BSL-3 laboratory.

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